

JUN 29 2004

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**LAVA GROUP**  
Unleashing latent value

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### FACSIMILE TRANSMITTAL

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**MAIL STOP** : Non-Fee Amendment                   **FROM** : Gregory S. Smith  
**EXAMINER** : CHEUNG, Mary Da Zhi Wang   **Faxing DATE**: June 29, 2004  
**FACSIMILE** : (703) 872-9306                           **LAVA GROUP FILE #**: 19011.1350  
**SUBJECT**: Application Serial No 09/856,387 Filed May 22, 2001

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**This Transmission Includes the Following Items**

<b>Item being transmitted</b>	<b>Pages</b>
<input checked="" type="checkbox"/> Transmittal Form	1
<input checked="" type="checkbox"/> Fee Transmittal Form	1
<input checked="" type="checkbox"/> PTO 2038 Credit Card Authorization	1
<input checked="" type="checkbox"/> Petition for Extension of time (2 copies)	2
<input checked="" type="checkbox"/> Response to Office Action	11
<input checked="" type="checkbox"/> Revocation and Appointment of Power of Attorney with supporting documents	3
<b>Total Pages Including Cover Sheet</b>	
	<b>20</b>

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**COMMENTS:**

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PTO/SB/21 (08-03)  
Approved for use through 08/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/856,387
		Filing Date	May 22, 2001
		First Named Inventor	McEwan et al.
		Art Unit	3621
		Examiner Name	CHEUNG, Mary Da Zhi Wang
Total Number of Pages in This Submission	18	Attorney Docket Number	19011.1350

### ENCLOSURES (Check all that apply)

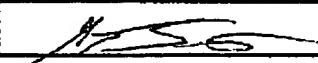
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	LAVA Group Law by Smith & Frohwein, LLC	
Signature		
Date	June 29, 2004	

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Gregory Scott Smith (40,819)		
Signature		Date	Jun 29, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 475.00)

## Complete if Known

Application Number	09/856,387
Filing Date	May 22, 2001
First Named Inventor	McEwan et al.
Examiner Name	CHEUNG, Mary Da Zhi Wang
Art Unit	3621
Attorney Docket No.	18011,1350

## METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input type="checkbox"/> Deposit Account: Deposit Account Number: _____ Deposit Account Name: _____				

The Director is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	2001	770	385	Utility filing fee	
1002	2002	340	170	Design filing fee	
1003	2003	530	265	Plant filing fee	
1004	2004	770	385	Reissue filing fee	
1005	2005	180	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		(\$ 0)			

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims below	Fee from below	Fee Paid
		-20**	= _____	
		- 3**	= _____	

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202	2202	18	9	Claims in excess of 20
1201	2201	88	43	Independent claims in excess of 3
1203	2203	290	145	Multiple dependent claim, if not paid
1204	2204	88	43	** Reissue independent claims over original patent
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		(\$ 0)		

\*\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	2051	130 85 Surcharge - late filing fee or oath	
1052	2052	50 25 Surcharge - late provisional filing fee or cover sheet	
1053	1053	130 Non-English specification	
1812	1812	2,520 2,520 For filing a request for ex parte reexamination	
1804	1804	920* 920* Requesting publication of SIR prior to Examiner action	
1805	1805	1,840* 1,840* Requesting publication of SIR after Examiner action	
1251	2251	110 55 Extension for reply within first month	
1252	2252	420 210 Extension for reply within second month	
1253	2253	950 475 Extension for reply within third month	
1254	2254	1,480 740 Extension for reply within fourth month	
1255	2255	2,010 1,005 Extension for reply within fifth month	
1401	2401	330 165 Notice of Appeal	
1402	2402	330 165 Filing a brief in support of an appeal	
1403	2403	280 145 Request for oral hearing	
1451	1451	1,510 1,510 Petition to institute a public use proceeding	
1452	2452	110 55 Petition to revive - unavoidable	
1453	2453	1,330 665 Petition to revive - unintentional	
1501	2501	1,330 665 Utility issue fee (or reissue)	
1502	2502	480 240 Design issue fee	
1503	2503	640 320 Plant issue fee	
1460	1480	130 130 Petitions to the Commissioner	
1807	1807	50 50 Processing fee under 37 CFR 1.17(q)	
1806	1806	180 180 Submission of Information Disclosure Stmt	
8021	8021	40 40 Recording each patent assignment per property (times number of properties)	
1809	2809	770 385 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	770 385 For each additional invention to be examined (37 CFR 1.129(b))	
1801	2801	770 385 Request for Continued Examination (RCE)	
1802	1802	900 900 Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		<b>SUBTOTAL (3) (\$ 475.00)</b>	

(Complete if applicable)

Name (Print/Type)	Gregory Scott Smith	Registration No. (Attorney/Agent)	40,819	Telephone	770.804.9070
Signature				Date	June 29, 2004

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